

MONTGOMERY COUNTY
FIRE AND RESCUE COMMISSION

MINUTES

APRIL 12, 2001
EXECUTIVE OFFICE BUILDING AUDITORIUM
Rockville, Maryland

COMMISSIONERS PRESENT:

Gordon A. Aoyagi, Chairman
Robert L. Freeman
Len Marco
Anita Powell
Paul Sterling

STAFF PRESENT:

Neil Shorb, Staff Director
George Giebel, Program Manager
Beth Feldman, Administrative Specialist
Annette Cheng, Office Services Coordinator
Richard Melnick, OCA

OTHERS PRESENT:

Assistant Chief Roger McGary, DFRS
President Eric Bernard, Rockville VFD
Assistant Chief Russell Dawson, BCCRS/RVFD
Deputy Chief John Horvat, Wheaton VRS
President Kenneth Fisher, GWGVFD
Rick Burdette, Cabin John Park VFD
President Russell Hartung, Hillandale VFD
Chief Roger W. Strock, DFRS
Chief David S. Dwyer, DVFRS
Don Phillips, Kensington VFD
Vice President Clark Beall, Laytonsville VFD
President Kenneth Day, Hyattstown VFD
Marcine Goodloe, MCVFRA
Amy Davis, IAFF Local 1664
Eileen Queenin, DFRS
Steve Lamphier, MCFRS
Chief Michael Dmuchowski, Germantown VFD
Daniel Poulin, Germantown VFD
Gina Hamilton, Germantown VFD

Assistant Chief Randy Wheeler, DFRS
Deputy Chief James Wilson, Kensington VFD
Darlene Flynn, MCFRS
President Joseph Chornock, Germantown VFD
Assistant Chief Thomas Musgrove, Laytonsville VFD
Chief Donald Flinn, Silver Spring VFD
Jerry Nix, Laytonsville VFD
President Kenneth Strite, UMCVFD
President Thomas P. Twigg, Laytonsville VFD
Pete A. Piring, MCFRS
President Robert F. Kidd, Chevy Chase FD
Debby McMurray, Rockville VFD
Cheryl Reed, MCFRS
Merril Oliver, MCFRS
Eric Kuzmack, Germantown VFD
William Wells
Robert Arnold, Kensington VFD
President Andrew White, Kensington VFD/MCFB
Josephine Phillips, Kensington VFD

100 - CALL TO ORDER

The meeting of the Fire and Rescue Commission was called to order by Chair Aoyagi at 7:10 p.m. in the Lobby Auditorium of the Executive Office Building in Rockville, Maryland.

Fire Administrator reported that Commissioners Bren, Carr, and Ogens had an excused absence for tonight's meeting.

101- Comments – the Fire and Rescue Commissioners

Commissioner Powell inquired why the Code of Ethics and Personal Regulation was brought before the Commission at tonight's meeting without input from the HRST Committee.

The Fire Administrator reported that the Commission had taken action to adopt the HRST's recommendation on the Code of Ethics and Personal Conduct Regulation at the January

FRC meeting. The County Attorney and Council Staff raised issues regarding first amendment rights related to the definition of "On-duty personnel". He believed that it was more appropriate to bring this matter before the Commission to consider rather than refer it back to the HRST Committee. This regulation is listed as item #406 in tonight's agenda packet.

102- Report of the Chairman

- Introduction of the Administrative Specialist for the Budget Office

Fire Administrator Aoyagi introduced Merrill Oliver as the administrative specialist in the Budget Office. Ms. Oliver will be working with the Senator Amoss funds and other grants.

- FY02 Operating Budget Update

Fire Administrator Aoyagi gave an update on FY02 Operating Budget and handouts were distributed. The County Executive has recommended \$104 million for the MCFRS FY02 operating budget, which is an increase of 3.2% more than the FY01 approved budget.

Significant increases that are being recommended in the County Executive's budget include: reallocate a 3rd person on medic units to provide service on BLS units at 8 and 12; increase staffing for Up-County stations; two additional recruit classes; six captains to reduce overtime; 3 Life Pac 12s; two Assistant Chief positions one for Wellness and one for Safety; LFRD facility repairs and direct services support; implementation of a vehicle maintenance record system; Symtron replacement of the Symtron training simulator; an AED program coordinator; implementation of PS2000; and increases for LFRD and volunteer support totaling more than \$500,000.

The significant reductions involved: salary lapse; lease-purchase of ambulance replacements for FY02; defer brush truck replacement in Hillandale VFD; transfer a position to the field from Code Enforcement; eliminate the Asset and Procurement Management position; and eliminate a portion of the outreach program funding.

The County Council is in the process of reviewing the County Executive's recommended operating budget. The Council will be seeking \$2.6 million in reductions as they review the MCFRS budget.

A copy of the LFRD's budget overview from FY99 to FY02 was also distributed.

- Establishment of the FRC Meeting Information Line

The Commission has established a FRC Meeting Information Telephone Line to enhance the availability of information concerning the date, time, location, and agenda for Fire and Rescue Commission meetings, and meetings of the FRC's standing committees in a timely fashion. The FRC Meeting Information Line number is 240-777-2278.

- Upcoming Calendar Events

- April 16, 2001: First work session with the Public Safety Committee regarding the budget.
- April 17, 2001: Public Hearing by County Council on Collective Bargaining Bill 13-01 regarding recommended changes in the law to include Lieutenants and Captains in the current collective bargaining unit.
- April 26, 2001: Fire and Rescue Service hosts "Take Your Daughter To Work" day.
- April 27, 2001: Annual Valor Awards Luncheon at Indian Spring Country Club, with a cash bar commencing at 11:00am. The Awards Luncheon begins at 11:45 p.m.
- April 29, 2001: Annual Pike's Peak 10K Run from Shady Grove Metro to White Flint Mall starting at 8:00 a.m.

103- Approval of Minutes of March 8, 2001 Meeting

A MOTION was made by Commissioner Freeman to approve the minutes of the March 8, 2001, meeting of the Fire and Rescue Commission. MOTION SECONDED by Commissioner Marco and PASSED unanimously.

200- CONSENT CALENDAR

201- *Request to Reallocate Senator Amoss Funds – Laytonsville VFD*

202- *Vehicle Disposition – EMS Unit*

A MOTION was made by Commissioner Marco to approve the Consent Calendar. MOTION SECONDED by Commissioner Sterling and PASSED unanimously.

300- FIRE AND RESCUE COMMISSION COMMITTEE REPORTS

301- Operations

Commissioner Sterling reported that the Operations Committee met on March 28, 2001. Items discussed included: Laytonsville Engine/Tanker (item 403); Fire Scene Preservation and Fatal Fires policy (item 405); amendments to Communications Manual and Dispatch procedures (item 404); and update on Aerial Truck and Rescue Squad study.

302- Human Resources, Safety and Training

Commissioner Powell reported that the HRST Committee met on April 2, 2001. The Committee discussed the draft of the medical standards requirements for Volunteer EMS Providers.

Commissioner Marco reported that the Safety System Committee is reviewing the Driver Safety Training Manual drafted by Captain Williamson.

303- Finance, Technology and Planning

Commissioner Freeman reported that the FTP Committee met on March 15, 2001. Items discussed were reports from the Apparatus/Facilities, Finance, Planning and Technology Subcommittees.

Commissioner Freeman reported that the Planning Subcommittee met with various County agencies to discuss the site selection for new Upper County fire stations. There was also discussion on the Station Area 30 study.

400- BUSINESS ITEMS

401- FY01 Senator William H. Amoss Fire, Rescue And Ambulance Fund Allocations

President White reported that the Kensington VFD submitted to the Amoss Fund Committee a request to fund a support vehicle for recruitment activity of the MCFB, and the request was approved by the Committee. However, the executive board of the MCVFRA recommended that the support vehicle be removed from the reallocation request and that the \$25,000 be redirected to station improvement at the maintenance facility at Station 21.

President White requested that the Commission approve the reallocation request of \$25,000 for an additional maintenance bay in the maintenance facility at Station 21.

Fire Administrator Aoyagi requested that this request be referred back to the William Senator Amoss Funds Committee for their final recommendation.

A MOTION was made by Commissioner Marco to approve the joint recommendation of the Fire Administrator and the Senator Amoss Funds Committee to recommend the allocation of \$1,267,953.00 to the LFRDs. MOTION SECONDED by Commissioner Sterling and PASSED unanimously.

402- FY01 2nd Quarter Analysis and Supplemental Request

Fire Administrator Aoyagi recommended supplemental funds of \$388,729 in the FY01 Operating Budget for the LFRDs as follows:

Chief Dmuchowski of Germantown VFD requested reconsideration the approval of \$71,000 to cover the cost of fuel/natural gas maintenance and transmission problems. Staff recommended \$49,000.

Fire Administrator Aoyagi suggested that the Germantown VFD provide proper justification for their needs to budget staff in the FY01 3rd quarter budget request.

403- Laytonsville Engine Tanker

A MOTION was made by Commissioner Sterling to authorize tax support for the new Laytonsville DVFD engine/tanker when the 1984 Ford tanker (stock #1847901) is taken out of service, and to designate this unit as “Engine/Tanker 17”.

404- Dispatch of Primary Units on EMS Incidents on High Speed, Limited Highways

A MOTION was made by Commissioner Sterling to amend Appendix D of the Communications Manual to add a primary unit (i.e. engine, truck, tower, rescue squad) to EMS incidents on high speed, limited access highways (Rt. 270, Rt. 370, and Rt. 495) to ensure scene safety. MOTION SECONDED by Commissioner Freeman and PASSED unanimously.

405- Fire Scene Preservation and Fatal Fires Policy

A MOTION was made by Commissioner Sterling to adopt Resolution FY14-01 which approves Fire Scene and Fatal Fires Investigation policy No. 25-02, when the current FRC Executive Regulation No. 26-90, Fire Scene Preservation, and DFRS Policy/Procedure #1102 are repealed. MOTION SECONDED by Commissioner Freeman and PASSED unanimously.

406- Revision to the Code of Ethics and Personal Conduct Regulation

County Attorney Melnick reported that §21-19 of the County Code applies only to “on-duty” personal conduct, and would not be able to encompass within its definition “on-duty personnel”.

He advised that in order to capture the Fire and Rescue Commission’s intent of preventing the actions or activities of personnel from reflecting badly upon the MCFRS while acting consistently with §21-19 of the County Code, the Office of the County Attorney recommended that under the FRC’s authority §21-2(d)(3), sec. 3.j. should read as follows: “MCFRS personnel are prohibited from wearing all or part of MCFRS officially-sanctioned uniform or gear, and/or from being present at, on, or in MCFRS premises, apparatus, and vehicles, or a fire, rescue or emergency medical incident, except when they are “on-duty personnel”.

After extensive discussion, Fire Administrator Aoyagi suggested that the document be sent out to the field for a 20-day comment period, and that all written comments be addressed to the HRST Committee for review prior recommending to the FRC its publication in the County Register.

A MOTION was made by Commissioner Freeman to distribute the revised Code of Ethics and Personal Conduct Regulation for field review, with a 20-day comment period and that all written comments be reviewed by the HRST Committee for review prior recommending to the FRC its publication in the County Register. MOTION SECONDED by Commissioner Powell and PASSED unanimously.

500- FIRE AND RESCUE SERVICES REPORTS

501- DVFRS Chief

Chief Dwyer reported that Senator Paul Sarbarnes has succeeded Representative Steny Hoyer as the Chairman of the Congressional Fire Service Caucus. He also reported that John Hanson is the newly-appointed Fire Administrator at the Fire Academy in Emmitsburg.

Chief Dwyer reported that the Total Team Challenge day is scheduled for May 20, 2001.

502- DFRS Chief

Chief Strock reported that District Chiefs Carr and Clemens were promoted to Assistant Chiefs.

503- Report of the Fire Board

Chairman White reported that the Fire Board had submitted its nomination list for a new Commissioner to the County Executive.

The Fire Board believed that the FRC/Fire Board Leadership Conference should move forward.

The Fire Board also requested that the Commission develop a policy concerning the organizational functions of the Public Safety Officer and the Internal Affairs Officer.

The Fire Board requested that the Fire Administrator inform the FRC of the ruling from the Open Meetings Compliance Board.

504- Report of the Montgomery County Volunteer Fire and Rescue Association

Chairman Wilson reported that the MCVFRA is pursuing the establishment of a web site.

He also reported that the Maryland State Firemen's Association has passed two bills: 1) the license plate fee will be increased by \$3.00 to support the MEDEVAC helicopter program; 2) the auxiliary is included in the tax reduction scheme in Annapolis.

Chair Wilson reported that the MCVFRA is currently discussing death announcement on the radio. with the Federal Communications Commission.

Chair Wilson stated that the MCVFRA believed that there should be levels of training on the 800MHZ radio system rather than 40 hours of required training which is currently planned.

505- Report of the Montgomery County Career Fire/Rescue Officers Association

There was no report.

506- Report of the Montgomery County Career Fire Fighters Association

FRC Meeting
April 12, 2001

There was no report.

**A MOTION was made by Commissioner Marco to adjourn the meeting. MOTION
SECONDED by Commissioner Powell and PASSED unanimously.**

The meeting was adjourned at 9:19 p.m.

Respectfully Submitted,

Gordon A. Aoyagi
Chairman